

REMARKS/ARGUMENTS

The Applicants appreciate the Examiner's careful consideration of the present Application. In the Office Action, the Examiner indicated that claims 3, 7-9, 11-12, 15-16, 18-19 and 21-33 were withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to nonelected species. The Applicants presume that, although not clearly indicated, the Examiner also intended that claim 34 be withdrawn for this reason. Additionally, claim 14 was rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement insofar as it appeared that the Specification lacked support for the subject matter of that claim.

Also, claims 1-2, 4-6, 10, 13 and 20 were rejected under 35 U.S.C. 102(e) as being anticipated by Tran et al. (U.S. Patent No. 6,275,034). Further, claim 17 was rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter regarded as the invention.

In response to the Office Action, the Applicants provide the following Remarks.

Pending Claims, Including New Claims 35-53

The Applicants respectfully submit that the comments in paragraphs 2 and 3 of the Office Action, regarding which claims should be withdrawn, improperly enumerate a few claims that should remain pending despite the Applicants' election. In particular, while the Applicants agree that claims 3, 11-12, 18-19 and 21-33 (as well as claim 34) all have been withdrawn in view of the Applicants' previous election of species, the Applicants respectfully submit that claims 7-9 and 15-16 are still properly pending in the present Application.

In particular, with respect to claims 7-9, the Applicants submit that there is no inconsistency between the language of these claims and the species shown in Figs. 7-8. Figs. 7 and 8 show portions of embodiments of a micromechanical system employing a beam supported by transverse arms, and are consistent with such systems in which the wrist elements extend towards or away from a center portion of the beam as recited in claims 7 and 8. Likewise, Figs. 7 and 8 are consistent with wrist elements that are conductive as recited in claim 9.

As for claims 15 and 16, these claims merely recite various devices that can be supported at various positions along the beam. Because Figs. 7 and 8 do not show an entire beam, Figs. 7 and 8 are consistent with a beam that may support any of these devices at any of a variety of positions. Thus, of the originally-filed claims 1-34, the Applicants believe that claims 1-2, 4-10, 13-17 and 20 should remain pending.

In addition to the aforementioned claims, the Applicants also are submitting herewith new claims 35-53. The Applicants submit that these claims are supported by the Specification and in particular are consistent with the elected species of Figs. 7 and 8 of the present Application. Also, the Applicants submit that these claims do not add new matter. Of the new claims, claims 35, 45 and 51 are independent (taking the place of withdrawn independent claims 21, 28 and 33) and claims 36-44, 46-50 and 52-53 are dependent (taking the place of several of the withdrawn dependent claims).

Response to Rejections of Claims 14 and 17

With respect to the rejection of claim 14, the Applicants respectfully traverse the rejection because the Applicants submit that there is support for the limitations of claim 14 within the Specification. Claim 14 recites “a point of attachment of the transverse arms at the intermediate point is centered between points of attachment of the transverse arms at the opposed ends of the beam.” The Applicants respectfully submit that such an embodiment is shown in, for example, Figs. 2 and 9. In each of these figures, transverse arms attached at the center of a beam are attached at a point that is centrally located between two additional points at the ends of the beam to which transverse arms at the ends of the beam are attached. Additionally, the discussion in paragraph 0062 of the Specification in relation to Fig. 9 further clarifies that the “transverse arm 16 [is positioned] midway between transverse arms 14 and 18”.

As for the rejection of claim 17, the Applicants respectfully traverse this rejection because the use of “outriggers” as transverse expansion elements is clearly discussed in paragraph 0057 of the Specification with reference to Fig. 6. Such outriggers are shown not only as element 54 of Fig. 6, but also are shown as elements 54 in Figs. 7 and 8.

For at least these reasons, therefore, the Applicants submit the aforementioned rejections of claims 14 and 17 are overcome.

Response to Rejections of Claims 1-2, 4-6, 10, 13 and 20

Despite the comments in paragraph 7 of the Office Action, the Applicants respectfully traverse the rejection of claims 1-2, 4-6, 10, 13 and 20 under 35 U.S.C. 102(e) made in view of Tran et al. While the MEMS shown in Tran et al. might superficially appear to bear some resemblance to those claimed by the Applicants, in fact the MEMS of Tran et al. are entirely different in their operation than those claimed by the Applicants. Consequently, Tran et al. fails to disclose all of the features recited by the Applicants' claims.

In particular, the MEMS recited by the Applicants' independent claims 1, 2 and 20 each require "a beam supported on flexible transverse arms to move longitudinally along a substrate" (emphasis added). That is, as shown in FIGS. 7 and 8 of the present Application, the MEMS have a beam 12 that moves side-to-side along its length (this is even more clearly shown by FIGS. 3 and 5, for example).

In contrast, as best as the Applicants can determine, Tran et al. entirely fails to disclose a beam that moves longitudinally. The beam 306 of FIG. 3 of Tran et al. referred to in the Office Action does not move longitudinally—that is, it does not move back and forth between pylons 309 and 311. Rather, the beam 306 moves transversely between elements 302 and 304 shown in FIG. 3. That is, the beam 306 moves perpendicularly with respect to its length, not along its length. This is shown in, for example, FIGS. 1A and 1B of Tran et al., which show a beam 106 being deflected perpendicular to its length.

For at least these reasons, the Applicants submit that each of independent claims 1, 2 and 20, as well as claims 4-6, 10 and 13 depending therefrom, are allowable over Tran et al.

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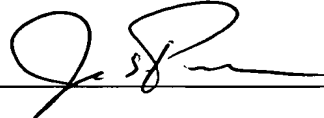
Conclusion

Given the Applicants' Remarks and Amendments, the Applicants respectfully request reconsideration and allowance of the present Application.

The Applicants wish to invite the Examiner to telephone the Applicants' attorney at the number listed below if discussion with the Applicants' attorney would be of assistance to the Examiner or further the prosecution of the present Application.

Respectfully submitted,
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By: _____



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